BOARD OF SUPERVISORS COUNTY OF STAFFORD STAFFORD, VIRGINIA

MINUTES

Regular Meeting January 15, 2008

<u>Call to Order.</u> A regular meeting of the Stafford County Board of Supervisors was called to order by George H. Schwartz, Chairman, at 1:02 P. M., Tuesday, January 15, 2008, in the Board Chambers, Stafford County Administration Center.

Roll Call. The following members were present: M. S. "Joe" Brito, Vice Chairman; Harry E. Crisp; Mark Dudenhefer; Paul V. Milde, III; George H. Schwartz, Chairman; Cord A. Sterling and Robert "Bob" Woodson.

Also in attendance were: Anthony Romanello, County Administrator; Joe Howard, County Attorney and Marty Beard, Chief Deputy Clerk.

<u>Legislative</u>; Work Session on FY08 Budget Review; FY09 Preview and a Presentation on Reassessments by the Commissioner of the Revenue.

 Ms. Maria Perrotte, Chief Finance Officer, gave a presentation on the FY08 Budget Review.

Discussion ensued.

 Ms. Nancy Collins, Acting Budget Director, gave a presentation on the FY09 Preview.

Discussion ensued.

 Mr. Scott Mayausky, Commissioner of the Revenue, gave a presentation on reassessments.

Discussion ensued.

<u>Legislative</u>; Work Session on Drainfields; Utilities and Subdivision Ordinance.. Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation.

Mr. Dale Allen, Assistant Director of Utilities, commented.

Discussion ensued.

Mr. Sterling motioned, seconded by Mr. Woodson, to adopt proposed Resolution R08-75.

The Voting Board tally was:

Yea: (7) Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito

Nay: (0)

Resolution R08-75 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO ADVERTISE PUBLIC HEARINGS TO AMEND AND REORDAIN
THE COUNTY CODE, SECTION 22-118, WATER AND SEWER; AND
SECTION 25-165, "TYPE, CAPACITY, LOCATION, ETC" REGARDING
PRIMARY AND RESERVE DRAINFIELDS

WHEREAS, the Director of the Rappahannock Health District stated concerns regarding various onsite wastewater disposal systems within the County; and

WHEREAS, the Board referred the subject of alternative onsite systems and minimum area requirements for drainfields to the Planning Commission and the Utilities Commission for review and recommendations; and

WHEREAS, the Planning Commission and the Utilities Commission held a joint public hearing and made its recommendations to the Board; and

WHEREAS, it is the desire of the Board to authorize a public hearing on the proposed changes;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of January 2008 that the County Administrator be and he hereby is authorized to advertise public hearings to amend and reordain the County Code, Section 22-118, Water and Sewer; and Section 25-165, "Type, Capacity, Location, Etc" regarding Primary and Reserve Drainfields.

<u>Legislative</u>; <u>Presentation on Economic Development Strategic Plan.</u> Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation.

Mr. Tim Baroody, Director of Economic Development and Legislative Affairs, commented further.

Discussion ensued.

<u>Legislative</u>; Additions and Deletions to the Regular Agenda. Mr. Milde motioned, seconded by Mr. Sterling, to add the following to the Regular Agenda: Proposed Resolution R08-74 – A Resolution to Consider a Request to Endorse Legislative Initiatives Proposed by Social Action Linking Together (SALT).

Discussion ensued.

The Voting Board tally was:

Yea: (4) Dudenhefer, Milde, Sterling, Woodson

Nay: (3) Schwartz, Brito, Crisp

<u>Legislative</u>; <u>Consent Agenda.</u> Mr. Milde motioned, seconded by Mr. Brito, to adopt the Consent Agenda, consisting of Items 4 thru 12, omitting Items 7, 8, and 11.

The Voting Board tally was:

Yea: (7) Milde, Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer

Nay: (0)

<u>Legislative</u>; <u>Approve Minutes of Board Meetings.</u> Regular Meeting of December 4, 2007 and Regular Meeting of December 18, 2007.

<u>Item 5. Finance; Approve Expenditure Listing</u>

Resolution R08-14 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED JANUARY 2, 2008 THROUGH JANUARY 14, 2008

WHEREAS, the Board has appropriated funds to be expended for the purchase of goods and services in accordance with an approved budget; and

WHEREAS, the payments appearing on the above-referenced Listing of Expenditures represent payment of \$100,000 and greater for the purchase of goods and/or services which are within the appropriated amounts;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of January 2008, that the above-mentioned EL be and it hereby is approved.

<u>Item 6. Public Information; Approve Proclamation to Recognize and Commend Bill D.</u>
<u>Colvin for His Service as Stafford County Treasurer</u>

Proclamation P08-01 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND BILL D. COLVIN FOR HIS SERVICE AS STAFFORD COUNTY TREASURER

WHEREAS, Bill D. Colvin began working for the County as a programmer/analyst in the Treasurer's Office in 1995, earned the position of Chief Deputy Treasurer, and was eventually elected in 2006 to complete the term of the previous Treasurer; and

WHEREAS, Bill Colvin instituted numerous online services for the convenience of citizens, including payment of taxes and utility bills, the ability to determine the amount of outstanding taxes due, and a "live chat" capability for residents to ask questions of staff; and

WHEREAS, Bill Colvin implemented a Lockbox operation in which the County's financial institution processes tax and utility payments sent via mail, depositing the money into interest-bearing accounts within 24 hours of receipt; and

WHEREAS, thanks to Bill Colvin's emphasis on managing and consolidating banking and investment operations, the Treasurer's Office achieved an unprecedented level of return on investments in 2006; and

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WHEREAS, Bill Colvin directed the reorganization of his office and its reporting

structure, and ensured that four Deputy Treasurers achieved state certification, which in

turn enabled the Treasurer's Office to achieve certification through the Treasurers'

Association of Virginia to guarantee additional funding from the Commonwealth; and

WHEREAS, during his tenure, Bill Colvin also worked with the Board to

eliminate the requirement for vehicle decals, resulting in significant savings to taxpayers

and County government; provided a DMV Select kiosk for citizens to complete basic

transactions with the Department of Motor Vehicles; and established a central location

for residents to pay both tax and utility bills; and

WHEREAS, Bill Colvin worked hard to build effective working relationships

with the Commissioner of the Revenue's Office and the Finance Department based on the

conviction that internal customers should be treated as professionally as external

customers; and

WHEREAS, Bill Colvin encouraged his staff to work together as a family to

accomplish their primary mission of serving residents, and acted as a mentor and friend

to support his employees' strengths and empower them to do the best job possible; and

WHEREAS, the Board desires to bring to the attention of citizens everywhere the

professionalism and enthusiasm with which Bill Colvin served the citizens of Stafford;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of

Supervisors on this the 15th day of January 2008, that Bill D. Colvin be and he hereby is

commended for his service as Stafford County Treasurer.

Item 9. Utilities; Award Contract for Purchase of Chemicals

Resolution R08-16 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR

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TO EXECUTE A CONTRACTS FOR THE PURCHASE OF PROCESS

CHEMICALS

WHEREAS, the Department of Utilities needs to purchase process chemicals for

use at its water and wastewater treatment facilities; and

WHEREAS, funds are available in the FY2008 Operating Budgets for the

purchase of these chemicals; and

WHEREAS, Stafford County has participated in a cooperative bid process with

the Fairfax County Water Authority and other jurisdictions for the purchase of water and

wastewater treatment process chemicals;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of

Supervisors on this the 15th day of January, 2008, that the County Administrator be and

he hereby is authorized to execute contracts with Univar USA with an estimated 12-

month expenditure of \$290,400; Allegiance Chemicals with an estimated 12-month

expenditure of \$304,513; and Kuehne Chemical with an estimated 12-month expenditure

of \$237,026 for the purchase of process chemicals for the water and wastewater treatment

facilities, subject to appropriation of funds in FY2009 for this purpose; and

BE IT FURTHER RESOLVED that these contracts are authorized for renewal for

up to one (1) additional 12-month period subject to appropriation of funds by the Board

for this purpose in the subsequent year.

Item 10. Budget; Amend the FY09 Budget Calendar

Resolution R08-21 reads as follows:

A RESOLUTION TO AMEND THE FISCAL YEAR 2009

BUDGET CALENDAR

WHEREAS, Section 15.2-2503 of the Code of Virginia (1950), as amended, states that the governing body shall receive the budget for the upcoming Fiscal Year on or before the first of April of each year; and

WHEREAS, Section 22.1-93 of the Code of Virginia (1950), as amended, requires that the governing body prepare and approve the annual budget for the upcoming Fiscal Year for educational purposes by the first of May of each year;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of January, 2008, that the Fiscal Year 2009 Budget Calendar be and it hereby is amended as follows:

November

20 Board of Supervisors Meeting

Preliminary Discussion of FY2009 Budget

<u>January</u>

15 Board of Supervisors Meeting

Budget Updates

21 Superintendent Presents Recommended Budget to School Board

February

5 Board of Supervisors Meeting

Consider FY2008 Mid Year Budget Adjustments

<u>March</u>

- 11 School Board Consideration and Adoption of School Budget
- 18 Board of Supervisors Meeting

County Administrator to Present FY2009 Budget at Board Meeting

Superintendent Presents Recommended Budget to Board of Supervisors

25 Adjourned Board Meeting for Budget Work Session

<u>April</u>

1 Board of Supervisors Meeting

Budget Work Session

Authorization to Advertise FY2009 Budgets and CY2008 Tax Rate if assessments do not result in an increase of 1% or more

15 Board of Supervisors Meeting

Public Hearing – CY2008 Tax Rate and FY2009 County Budgets

Adopt CY2008 Tax Rates

22 Adjourned Board Meeting – Budget Work Session

Adopt & Appropriate FY2009 County Budgets

<u>June</u>

Distribute FY2009 Approved Budget Documents

Item 12. Legislative; Adopt the 2008 Board Meeting Schedule

Resolution R08-54 reads as follows:

A RESOLUTION TO ESTABLISH THE STAFFORD COUNTY BOARD OF SUPERVISORS MEETING SCHEDULE FOR 2008

WHEREAS, the time and place of regular meetings of the Board shall be established; and

WHEREAS, the Board desires that the regular meetings shall be held in the Board Chambers of the Stafford County Administration Center, 1300 Courthouse Road, Stafford, Virginia, on the first and third Tuesday of each month at 1:00 P. M.; and

WHEREAS, Regular meetings, without further public notice, may be adjourned from day to day or from time to time or from place to place, not beyond the time fixed for the next regular meeting, until the business before the governing body is completed; and

WHEREAS, should the Board subsequently prescribe any meeting time or place other than that initially established, it shall comply with Section 15.2-1416 of the Code of Virginia (1950), as amended;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of January 2008 that the Board be and it hereby does establish the following for its Regular Meetings for 2008:

Board Meeting Dates for 2008 January 15 February 5 February 19 March 4 March 18 April 1 April 15 May 6 May 20 June 3 June 17 July 1 August 19 September 2 September 16

October 7

October 21

November 4

November 18

December 2

December 16

Public Information; Change the Name of the Stafford County Cable and

Telecommunications Commission to the Stafford County Telecommunications

Commission. Mr. Milde commented.

Mr. Schwartz motioned, seconded by Mr. Woodson, to adopt proposed Resolution R08-15.

Discussion ensued.

The Voting Board tally was:

Yea: (5) Schwartz, Sterling, Woodson, Brito, Crisp

Nay: (2) Dudenhefer, Milde

Resolution R08-15 reads as follows:

A RESOLUTION TO EXPAND THE SCOPE OF THE CABLE TELEVISION ADVISORY COMMITTEE TO INCLUDE TELECOMMUNICATIONS ISSUES AND TO CHANGE THE NAME OF THE CABLE TELEVISION ADVISORY COMMITTEE TO THE STAFFORD COUNTY CABLE AND TELECOMMUNICATIONS COMMISSION

WHEREAS, the Cable Television Advisory Committee has provided an oversight of cable television services, and has become increasingly involved in telecommunications issues; and

WHEREAS, the Board recognizes that telecommunication services are critical in helping the County as a whole in terms of economic benefit and quality of life of its residents; and

WHEREAS, many residents of Stafford possess the knowledge and expertise in the area of telecommunications which may be beneficial to this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford Board of Supervisors on this the 4th day of December, 2007, 15th day of January, 2008, that the following charter be and it hereby is adopted for the Stafford County Cable and Telecommunications Commission:

CHARTER

Section 1: The Stafford County Cable and Telecommunications Commission is an advisory group to the Board of Supervisors. The commission promotes and encourages compliance with the franchise agreements among the cable companies operating within Stafford County, reviews and advises the Board on cable service, telecommunications, broadband (both wireline and wireless) and local infrastructure issues, and promotes local community programming to keep citizens informed.

Section 2: Definitions

Broadband refers to advanced communications systems capable of providing high-speed transmission of services such as data, voice, and video over the Internet and other networks. Transmission is provided by a wide range of technologies, including digital subscriber line and fiber optic cable, coaxial cable, wireless technology, and satellite.

"Cable service" means (A) the one-way transmission to subscribers of (i) video programming, or (ii) other programming service, and (B) subscriber interaction, if any, which is required for the selection or use of such video programming or other programming service.

"Commission" shall mean the Cable Television and Telecommunications Commission.

Telecommunications means the transmission, between or among points specified by the user, of information of the user's choosing (e.g., data, video, and voice), without change in the form or content of the information sent and received.

Section 3: Composition of the Commission

The commission shall consist of seven voting members appointed by the Board of Supervisors representing each of Stafford's seven election districts. In addition, the County school system shall have a non-voting member. The County government shall also have three non-voting members, two from the County Administrator's Office and one from the Information Technology Office. The commission shall have the ability to increase the number of non-voting members as warranted.

Section 4: Terms of Members

Each voting member appointed by the Board of Supervisors shall be appointed to a one-year term that expires on December 31.

Section 5: Officers

The voting members of the commission shall elect a chairperson and vicechairperson from the voting members each year at the January meeting. One of the County government representatives shall serve as the commission secretary.

Duties of the Officers:

Chairperson – It shall be the responsibility of the chairperson to preside over all meetings of the commission.

- 1. The chairperson may from time to time make appointments to subcommittees
- 2. The chairperson may call special meetings of the commission
- 3. The chairperson may vote on all issues pending before the committee
- 4. The chairperson may make motions
- 5. The chairperson shall preserve order and decorum

Vice-Chairperson – the vice-chairperson shall preside over all meetings in the absence of the chairperson. In addition, the vice-chairperson may preside at any time the chairperson requests that he/she preside. The vice-chairperson shall have the same powers as the chairperson when presiding over meetings.

Secretary – The secretary shall be responsible for maintaining attendance records and minutes of the commission's meetings. The secretary shall ensure that notice of all meetings is sent to commission members.

Section 6: Purposes and Duties of the Commission:

- Advise and make recommendations to the Board of Supervisors on all telecommunication and cable service issues.
- Review and consider subscriber complaints regarding grantee services and
 operations; assist in resolving disputes regarding the conduct and performance of
 the grantee in accordance with all applicable cable service, telecommunications
 and broadband requirements in the local code and/or licenses, contracts or
 franchises granted by the County.
- Monitor the activities and operation of franchise grantees to ascertain compliance
 with the requirements of the franchise; meet with representatives of the grantee as
 necessary to resolve problems and facilitate cable operations consistent with
 franchise requirements.

- Advise the Board with regards to proposed rate changes for cable services.
- Assist the Board in the establishment of new cable franchises and cable franchise renewals.
- Provide advice and make recommendations to the Board pertaining to open video systems (as defined in federal law), broadband (wireline or wireless), Wi-Max, Wi-Fi and new telecommunication technologies and opportunities for use by residents and businesses in Stafford County.
- Identify new emerging technologies that merit further review.
- Provide advice and recommendations to the Board, if required, regarding cellular communications tower placement and other telecommunications infrastructure issues.
- Provide advice and recommendations to the County on use of public rights-ofway by communications providers.
- Investigate and support opportunities for expanded public wireless access in County facilities and venues.
- Provide advice and recommendations to the Board on providing and encouraging
 Internet and other broadband services to underserved areas of the County.
- Assist the Board by providing the oversight function for the operation of the local PEG channel.
- Recommend ways and means for promoting and utilizing the cable television system to further the objective of increased public participation and awareness of local government activities and events of regional significance.
- Keep the Board apprised of changes in FCC regulations and other statutes affecting the cable ordinance and cable systems.

Section 7: Meetings:

The commission should have regularly scheduled monthly meetings. The chairperson may call special meetings as required. Notice of special meetings shall be provided to all commission members by the secretary. All meetings will be open to the public. The commission may go into closed meeting in accordance with the Virginia

Freedom of Information Act (Sections 2.2-3711 and 3712 Va Code Ann.) upon a majority vote by the members in attendance. All votes will be taken in open session.

The proceedings of the commission shall be governed by Robert's Rules of Order. At any meeting a majority of the voting members shall constitute a quorum. All questions submitted to the commission for decision shall be determined by voice vote unless the chairperson requests a vote or by a show of hands. Members abstaining shall state their reason(s) for abstaining for the record. Minutes from each meeting shall be submitted to the Board of Supervisors in a timely manner by the Secretary.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Stafford County Board of Supervisors on this the 15th day of January, 2008, that the Cable Television Advisory Committee be and hereby is designated as the Stafford County Cable and Telecommunications Commission based on the charter outlined in this Resolution.

<u>Transportation; Request Reimbursement from the Potomac and Rappahannock</u>

<u>Transportation Commission for Transportation Expenditures for the First and Second</u>

Quarters of Fiscal Year 2008. Mr. Woodson gave a presentation.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R08-13.

Discussion ensued.

The Voting Board tally was:

Yea: (7) Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz

Nay: (0)

Resolution R08-13 reads as follows:

A RESOLUTION TO REQUEST REIMBURSEMENT FROM THE POTOMAC AND RAPPAHANNOCK TRANSPORTATION COMMISSION FOR TRANSPORTATION EXPENDITURES FOR THE FIRST AND SECOND QUARTERS OF FISCAL YEAR 2008

WHEREAS, the County budgeted funds in the FY2008 Transportation Fund for various programs, including transportation services, quarterly transportation subsidies, road improvements, bike trails, and street signs; and

WHEREAS, the County expended the following amounts for transportation projects and services during FY2008 through December 31, 2007; and

<u>Item</u>	Amount
Transportation Services - FRED	\$238,828
Street Sign Program	16,530
Stafford Regional Airport Commission	57,143
Garrisonville Road (SR-610) Construction Project	610
Bike Trails Program	23,742
Public Street Repair Projects	95
Transportation of Social Services Clients	10,833
Total Reimbursement Request	\$347,781

WHEREAS, these funds can be reimbursed from the County fuel tax funds;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of January 2008, that the Potomac and Rappahannock Transportation Commission be and it hereby is requested to reimburse the County Three Hundred Forty-seven Thousand Seven Hundred Eighty-one Dollars (\$347,781) from the fuel tax funds.

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Legislative; Express Support for Funding for Acquisition and Operation of Crow's Nest

Property. Mr. Woodson commented.

The County Administrator commented further.

Discussion ensued.

Mr. Woodson motioned, seconded by Mr. Sterling, to adopt proposed Resolution R08-72

and R08-73.

The Voting Board tally was:

Yea:

(7) Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling

Nay:

(0)

Resolution R08-72 reads as follows:

A RESOLUTION TO REQUEST STATE FUNDING TO SUPPORT OPERATIONAL COSTS FOR THE CROWS NEST NATURAL AREA

PERSERVE

WHEREAS, by Resolution R07-515 dated December 18, 2007, the Board

approved an agreement for the purchase of the Crow's Nest property consisting of an

initial purchase of approximately 1,720 acres for the purchase price of \$19 million; and

WHEREAS, the Board also agreed to an option to purchase the remaining

approximately 1,167 acres of the Crow's Nest property to be exercised prior to December

1, 2009; and

WHEREAS, the acquisition of the Crow's Nest property will preserve an

important historical and cultural resource for residents of Stafford County and the

Commonwealth of Virginia; and

WHEREAS, The Department of Conservation and Recreation estimates initial costs to protect and maintain the initial 1,720 acres at \$350,000, to support two full-time staff persons, initial costs associated with parking areas, access road development, gate and boundary maintenance, trail development, interpretive signs and invasive species and wildlife management costs; and

WHEREAS, the Board desires to request the Virginia General Assembly to budget and appropriate this amount to protect and maintain the Crows Nest property;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of January, 2008 that the Board be and hereby does request the General Assembly to budget and appropriate the amount of Three Hundred Fifty Thousand Dollars (\$350,000) for initial costs to ensure the protection and preservation of the Crow's Nest property; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is requested to transmit a copy of this resolution to the members of the General Assembly representing Stafford and to the Governor of Virginia.

Resolution R08-73 reads as follows:

A RESOLUTION TO REQUEST THE GENERAL ASSEMBLY TO BUDGET AND APPROPRIATE \$16.2 MILLION FOR ACQUISITION OF 1,167 ACRES OF THE CROW'S NEST PROPERTY IN STAFFORD COUNTY

WHEREAS, by Resolution R07-515 dated December 18, 2007, the Board approved an agreement for the purchase of the Crow's Nest property consisting of an initial purchase of approximately 1,720 acres for the purchase price of \$19 million; and

WHEREAS, the Board also agreed to an option to purchase the remaining approximately 1,167 acres of the Crow's Nest Property for the purchase price of \$16.2 million, to be exercised prior to December 1, 2009; and

WHEREAS, Resolution R07-515 authorized the County Administrator to explore all appropriate funding sources to acquire the remainder of the Crow's Nest property; and

WHEREAS, the acquisition of the Crow's Nest property will preserve an important historical and cultural resource for residents of Stafford County and the Commonwealth of Virginia in perpetuity; and

WHEREAS, the Board desires to request the General Assembly for an appropriation to purchase the remaining 1,167 acres of the Crow's Nest property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of January that the Board be and hereby does request the Virginia General Assembly to budget and appropriate Sixteen Million Two Hundred Thousand Dollars (\$16.2 million) for the acquisition of approximately 1,167 acres of the Crow's Nest property in Stafford County to allow the purchase prior to December 1, 2009; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is requested to transmit a copy of this resolution to the members of the General Assembly representing Stafford and to the Governor of Virginia.

<u>Natural Area Preserve.</u> Mr. Milde motioned, seconded by Mr. Brito, to request our federal legislators to provide funding to acquire Phase 2 of the Crows Nest property.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson

Nay: (0)

Legislative; Rescind the Action at the December 18, 2007 Board of Supervisors Meeting which Added to the Legislative Program at Request to Allow Stafford County An Election for an At-Large Chairman. Mr. Brito commented.

Mr. Brito motioned, seconded by Mr. Woodson, to adopt proposed Resolution R08-20.

The Voting Board tally was:

Yea: (4) Crisp, Schwartz, Woodson, Brito

Nay: (3) Dudenhefer Milde, Sterling

Resolution R08-20 reads as follows:

A RESOLUTION TO RESCIND THE ACTION AT THE DECEMBER 18, 2007 BOARD OF SUPERVISORS MEETING WHICH ADDED TO THE LEGISLATIVE PROGRAM A REQUEST TO ALLOW STAFFORD COUNTY AN ELECTION FOR AN AT-LARGE CHAIRMAN

WHEREAS, at a meeting on December 18, 2007 the Board discussed its membership; and

WHEREAS, an At-Large Chairman to be elected by the citizens throughout the County on Election Day would need action by the Virginia General Assembly; and

WHEREAS, a motion duly made and seconded by the Board which authorized a request to the General Assembly for such authority; and

WHEREAS, the Board desires to rescind that motion;

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NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of January 2008 that the Board be and it hereby does rescind its action voted on December 18, 2008 to request that the General Assembly

consider allowing Stafford County an election for an At-Large Chairman.

Planning and Zoning; Amend and Reordain the Zoning Ordinance by Amending the Zoning District Map to Reclassify Assessor's Parcels 21-49 (portion) 21-49h, 21-49j and 21-49q from b-2, Urban Commercial Zoning Districts to P-TND, Planned Traditional Neighborhood Development Zoning District at Aquia Towne Center; (2) Request for Deviation from Table 3.5(a) and Table 3.5(c) of the Zoning Ordinance for the Reclassification of the Town Center of Aquia (Deferred at 12-18-07 Meeting). Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Ordinance O08-10 with changes.

Discussion ensued.

Mr. Woodson made a substitute motion, seconded by Mr. Brito, to adopt proposed Resolution R08-77 to deny.

Discussion further ensued.

The Voting Board tally on the substitute motion was:

Yea: (3) Schwartz, Woodson, Brito

Nay: (4) Milde, Sterling, Crisp, Dudenhefer

The Voting Board tally on the original motion was:

Yea: (4) Dudenhefer, Milde, Sterling, Crisp

Nay: (3) Schwartz, Woodson, Brito

Ordinance O08-10 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE ZONING ORDINANCE FOR STAFFORD COUNTY BY AMENDING THE ZONING DISTRICT MAP TO RECLASSIFY FROM B-2, URBAN COMMERCIAL TO P-TND, PLANNED-TRADITIONAL NEIGHBORHOOD DEVELOPMENT, ASSESSOR'S PARCELS 21-49(PORTION), 21-49H, 21-49J AND 21-49Q, AQUIA ELECTION DISTRICT

WHEREAS, RAMCO-Gershenson, has submitted application RC2700543 requesting reclassification, of Assessor's Parcels 21-49(portion), 21-49H, 21-49J, and 21-49Q from B-2, Urban Commercial to P-TND, Planned-Traditional Neighborhood Development, consisting of 35.36 acres, located on the southeast corner of Jefferson Davis Highway and Washington Drive, within the Aquia Election District; and

WHEREAS, the Board has carefully considered the recommendation of the Planning Commission, staff and testimony at the public hearing; and

WHEREAS, the Board has determined that the requested zoning is compatible with the surrounding land uses and zoning; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, or good zoning practice requires adoption of an ordinance to reclassify the subject property;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 15th day of January, 2008, that the Zoning Ordinance for Stafford County be and it hereby is amended and reordained by amending the zoning district map to reclassify from B-2, Urban Commercial to P-TND, Planned-Traditional Neighborhood Development, Assessor's Parcels 21-49(portion), 21-49H, 21-49J, and 21-49Q, with the following proffers:

Ramco-Gershenson, Inc., ("the Applicant"), has applied for a rezoning of Assessor's parcels 21-49 (portion), 49H, 49J, & 49Q ("the Property") to the P-TND Zoning District and hereby proffers that the use and development of the subject property shall be in substantial conformance with the following conditions.

1. Types, Style, and Density of Development - The Applicant agrees that the type of transect zone (T-5, T-6, and SD-C) and the maximum associated density specified for each transect zone, primary roads, civic buildings and uses, pedestrian sheds, primary commercial frontages, and vista terminations will be located and designed in substantial accord with the Regulating Plan (RP), dated August, 2007, revised December 3, 2007, and prepared by Bowman Consulting, and the Neighborhood Design Standards prepared by Brown Craig Turner dated August, 2007 and revised December 3, 2007. The project will be developed to include a mix of commercial and residential uses, with a maximum of 287 residential units developed on the Property, and a maximum of 727,473 square feet of commercial uses. The residential units will have living space with an average size of 900-1,000 square feet. The maximum height of all structures, excluding non-habitable structures including but not limited to spires, belfries, cupolas, antennas, communication towers, silos, barns, water towers, ventilators, chimneys, mechanical penthouses, monuments, flags poles, or other appurtenances, shall be as follows:

The maximum height of all structures in transect zones, with the exception of the parking lot located on the southern side of the site, and the building identified as the second office building (located adjacent to Aquia Episcopal Church), shall be:

Notwithstanding the provisions of Section 28-24 of the Stafford County Zoning Ordinance, the maximum height shall be 75 feet at the finished floor level of the top story.

The parking garage that abuts the southern portion of the Property shall be a maximum of 45 feet (4 Stories).

2. Site Access:

- A. Access from Route 1/Jefferson Davis Highway Access to the site from Route 1/Jefferson Davis Highway shall be limited to the three existing entrances: the main entrance to the center (opposite the I-95 off ramp), the existing right-in/right out driveway, and the southern-most full access driveway. Pursuant to Proffer 3Bi below, the Applicant shall reconstruct the southern-most full access driveway into a right-in/right-out driveway, subject to VDOT approval.
 - **B.** Access from Washington Drive Access to the site from Washington Drive shall be limited to the existing entrance, unless the Applicant decides to construct, with the consent of the Aquia Harbour HOA, a maximum of two additional future entrances, as shown on the RP, which shall include access for emergency vehicles. Except as shown on the RP and GDP, the Applicant agrees it will not seek approval of any additional curb cuts on Washington Drive, or curb cuts located at different locations on Washington Drive, without advising the Aquia Episcopal Church of his intent to do so.
- **3.** <u>Transportation</u> The Applicant agrees to make the following improvements or cash contributions at its sole cost and expense to mitigate the impact of this project on area roads, as such impact is analyzed in the Transportation Impact Study entitled 'The Town Center at Aquia', prepared by Wells and Associates, dated August, 2007.
 - **A. Phase I Improvements**: The following improvements or cash contributions shall be completed no later than the date of issuance of the occupancy permit for the 400,001st square foot of commercial buildable

area:

- i. Route 1/Garrisonville Road/Washington Drive Intersection: The Applicant shall modify at its sole cost and expense, subject to VDOT approval, the existing traffic signal controlling the Route 1/Garrisonville Road/Washington Drive intersection by installing a westbound right turn overlap phase on the existing traffic signal and by modifying the traffic signal phasing at the intersection to replicate more traditional traffic signal phasing, as shown in the Traffic Impact Study prepared by Wells and Associates, dated August, 2007.
- **ii.** Route 1/Site Driveway/I-95 Northbound Off-Ramp Intersection: The Applicant shall implement at its sole cost and expense, subject to VDOT approval, northbound and westbound right turn overlap phases for the existing traffic signal at the Route 1/Site Driveway/I-95 Northbound Off-Ramp Intersection and shall further optimize the traffic signal timing, as approved by VDOT.
- **iii**. The Applicant shall provide a \$200,000 matching contribution for a traffic signal on Route 1 at the northbound I-95 ramp.
- **iv.** The Applicant agrees to provide a maximum contribution of \$175,000 toward the cost of the design and construction of a raised median, to be constructed/installed by others, along Route1 between the center entrance and the southern entrance.
- **B. Phase II Improvements**: The following improvements or cash contributions shall be completed no later than the date that the occupancy permit for the 633,365th square foot of buildable area:
 - i. Conversion of Southern Full Access Driveway Into Right-in, Rightout Driveway – Subject to VDOT approval and the acquisition of necessary right-of-way and easements, and provided further that the median along Route 1 has not yet been constructed, the Applicant shall reconstruct the southern-most full access driveway into a right-in, right-

out driveway through the use of a channelized island. If the Applicant is unable, through the use of commercially reasonable diligence, to obtain the necessary right-of-way and easements, the County may exercise its powers of eminent domain in order to obtain said right-of-way and easements. In the event that the necessary right-of-way and easements have not been obtained by either means within one year of the date of approval of this rezoning, the Applicant may satisfy this Proffer 3Bi by means of a cash contribution not exceeding \$25,000 representing the cost of construction of the channelized improvements, less the Applicant's costs expended in pursuing performance of this proffer.

- **C. Bus Stop**: The Applicant agrees to provide a bus stop as shown on the RP for use by the Fredericksburg Regional Transit System (FRED bus) or other local transit operation.
- **D. Contribution to Regional Transit:** The Applicant shall provide \$50,000 to Stafford County to be used to fund regional transit improvements that directly address the Route 1/Garrisonville Road intersection, which could include funding service improvements to the Fredericksburg Regional Transit System, in the event that service is established between the Town Center at Aquia and the shopping centers on Garrisonville Road.
- **E. Route 1 Corridor Study**: The Applicant shall provide \$150,000 to Stafford County to be used to fund a Route 1 corridor study or other offsite traffic improvements on Route 1, at the County's discretion and subject to the agreement of VDOT, within one (1) year of the approval of this rezoning application.
- **F. Traffic Demand Management**: The Applicant agrees to utilize Transportation Demand Management Strategies to reduce vehicular trips

generated by the employees and residents of the Property during peak hours. The Applicant agrees to implement the following TDM strategies:

- i. TDM Coordinator The Applicant shall designate an onsite representative responsible for the implementation of any and all TDM strategies associated with the property to serve as a liaison with the County and VDOT. These duties may be part of other duties assigned to the representative.
- ii. **Slug Lane** The Applicant shall designate a pull-off area along one of the internal roadways for a slug (I-95 HOV commuter) lane.
- iii. **Employee Parking** The Applicant shall reserve a number of conveniently located, first level, free parking spaces for office workers employed on-site who utilize carpools and vanpools to commute to work.
- iv. **Information Distribution** Provide a centralized location on-site for the distribution of Fredericksburg Regional Transit System (the FRED bus) and/or VRE schedules or other material pertaining to the use of alternative modes.
- v. **Bike Racks** The Applicant shall place bike racks throughout the Property, as appropriate.
- vi. **Broadband Wiring** All residential units shall be pre-wired with broadband or high capacity data/networks connections, in addition to standard phone lines.

- vii. **Business Center** Access to copier and fax machine shall be provide on site and shall be available to all residents of the multi-family units who choose to work from home.
- viii. **TDM Implementation and Monitoring** The Applicant shall enter into an agreement with Stafford County (and seek VDOT's input) to implement and monitor the TDM strategies listed above.
- **4.** <u>Cash Contribution:</u> The Applicant agrees to pay cash proffers for each dwelling unit within the site in accordance with the Stafford County Proffer Guidelines that were revised and approved on November 1, 2005, and updated based on the Marshall Swift Index on November, 2006, in the amount stated for the applicable housing type. The Applicant agrees to pay the cash proffers for the residential units identified for the Property. For instance, for each Multi-Family Dwelling Unit, the sum of Six Thousand Dollars and Zero Cents (\$6,000) would be paid at issuance of the building permit for each residential unit. The per unit contribution shall be allocated based on the following categories:

Multi-Family:

Parks and Recreation	\$ 1,770.00
Schools	2,219.00
Libraries	146.00
Fire and Rescue	188.00
Transportation	1,550.00
General Government	 127.00
Total	\$ 6,000.00

5. <u>Urban Park</u> – The Applicant agrees to provide at least one urban park/plazas with appropriate amenities within the Property. The park shall be programmable open space within the Property that is open to the public, and will include public seating,

pedestrian scale ornamental lights, special paving, irrigation, and landscaping. This space will serve as public gathering place for live music, exhibits, or public presentations, with public functions subject to prior approval and regulation by the Property Manager. A minimum area of 4,000 square feet will be provided for the park; however, the 4,000 square foot area may be developed as one park of 4,000 square feet or 2 parks measuring a minimum of 2,000 square feet each.

- **6.** <u>Mitigation of Impact on Adjoining Properties</u> In order to be a good neighbor, the Applicant agrees to take the following actions to reduce any potential impact of the development on adjoining properties:
 - A. Supplemental Town Center Landscaping: The Applicant agrees to provide supplemental landscaping on the portion of the Property located along the fence line behind the first and second office buildings, which shall consist of planting 10 red maple trees on top of existing berm wall, in order that the crown of these trees will fill in the areas where mature trees in the buffer zone have grown and left openings, and in addition, 15 crepe myrtle trees on the bottom of the existing berm to further help fill in the line of site.

This landscaping will supplement the existing berm, landscaping, buffer zone, and existing 5' fence, that now exist in order to mitigate the impact on the viewshed of the Aquia Episcopal Church. The supplemental landscaping shall be completed on or before issuance of the first occupancy permit for the Second Office Building.

B. Supplemental Aquia Church Landscaping: Contingent on receipt of written authorization from the Church, the Applicant agrees to provide supplemental landscaping and grading on a portion of the Aquia Church property to the rear of the education building, in order to mitigate the impact on the viewshed of the Church. The landscaping and grading work will consist of:

Removal of two large dead oak trees, with removal of the wood from the site unless otherwise directed by the Church;

Construction of a 3.5' to 4' high berm (110 feet in length) to wrap the existing parking area (using approximately 50 square yards of top soil);

Removal of six other smaller trees from the area where the new berm is to be installed, with all wood removed from the site unless otherwise directed by the Church;

Construct a 3-foot wide drainage swale in front of the berm and between the asphalt parking area;

Cover the bottom of the swale with approximately 15 tons of rip rap to help stabilize the berm and promote good drainage of the area;

Install 7 Leland Cypress (8'-10' high) on the back side of the berm;

Install 15 shrubs (Barberry/Burning Brush) on the front side of the berm; and

Cover the berm with approximately 20 yards of mulch to control erosion.

The supplemental landscaping shall be completed on or before issuance of the first occupancy permit for the Second Office Building.

C. Height Limitation for Parking Garage Adjacent to Aquia Harbour –
In order to protect the viewshed of the property owners within Aquia
Harbour which abut the southern boundary of the Property, the Applicant

agrees to restrict the height of the parking garage situated on the southern boundary of the Property no more than 45 feet (4 Stories).

D. Height Limitation for Office Building Adjacent to Aquia Episcopal

Church – In order to protect the viewshed of Aquia Episcopal Church, the Applicant agrees to restrict the height of the office building (which is known as the 2nd office building and which backs to Washington Drive) to a maximum of 75 feet tall (measured to the roofline, but excluding parapets or mechanical equipment).

- 7. <u>CPTED</u> The Applicant agrees to design and construct the Property to comply to the maximum extent practicable with the goals of CPTED (Crime Prevention Through Environmental Design). CPTED design features shall include, but not be limited to, the following:
 - **A.** Installation of grooved concrete ramps in parking garages;
 - **B.** Installation of peepholes on all rear delivery doors;
 - **C.** Installation and maintenance of 2-4 F/C minimum maintained lighting level for all parking and pedestrian areas;
 - **D.** Use of lightened concrete inside the parking garages to help reflect lighting;
 - **E.** Prohibition of signage or other obstructions on the pedestrian bridge on the glass or open area which obstructs the view into the bridge from the street or from the bridge into the travelways; and
 - **F.** To encourage use of features such as business patios and/or outside dining in order to put more "eyes on the street."
- **8.** Owner's Consent In the event that changes to the Property's Regulating Plan or Neighborhood Design Standards are requested after this rezoning is approved, in accordance with Section 28-56(g) 1 & 2 of the P-TND ordinance, the owner's consent to such requests may be provided by the signature of the duly authorized representative of

one or more of the Property Owner's Association(s) or the Condominium Regime(s) ("Common Interest Community") and such authority shall be evidenced by the governing documents of the Community within those affected transect zones.

- **9.** <u>Perimeter Fence</u> The Applicant agrees to maintain the existing board on board fence, which varies in height from 5-6 feet throughout the Property.
- **10.** <u>Universal Design Units</u> The Applicant agrees to design and build 10% of the multi-family dwelling units as "universal design units" with the following universal design features that are provided in addition to the accessibility requirements of the Fair Housing Act:
 - **A.** All Building entrances for universal design units shall be designed and built as accessible building entrances on an Accessible Route, as defined by the Fair Housing Act.
 - **B.** All bus stops on the Property shall be designed and built to include accessible bus stop shelters with open space for wheelchair occupants and seating for people with limited stamina.
 - **C.** At least one building entrance to each building containing universal design units shall feature eyeholes and package shelves.
 - **D.** The primary entrance door to each universal design dwelling unit shall be built with an optional kickplate on the push side of door to protect the surface of the door and also an optional auxiliary handle to aid in closing the door if the door does not automatically close.
 - **E.** The primary entrance door to each universal design dwelling unit shall contain eyeholes accessible to all people.
 - **F.** Lighting fixtures and kitchen, bathroom, and laundry facilities in each universal design unit shall use easy to use hardware, which requires little or no strength and flexibility, such as lever door handles, push plates, loop handle pulls on drawers and cabinet doors no knobs, touch latches, and/or magnetic latches in lieu of mechanical, keyless locks.

G. If washer/dryers are furnished by developer for residential units, accessible features will be installed for the washer/dryers in the universal design units, which shall include clear floor space provided in front of

washer/dryer. Free standing front loading machines shall be provided to allow for easy access of users; however, stacked washer/dryer units may be used provided the reach range meets ADA guidelines.

H. The bathroom in each of the universal design units shall be equipped, in addition to the framing for future grab bars required by the Fair Housing Act, with grab bars installed behind the toilet and the bathtub, with an additional grab bar installed on the short wall beside the toilet at a minimum distance of 18" away from the toilet. Directions for mounting grab bars shall be permanently displayed in the unit. Said bathroom shall also include hand held shower head on a slide arm mount, and raised toilet seat and spacers installed raising height from 2" to 6" on 15" standard height toilet.

Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation on the proposed variations of TND.

Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R08-78.

Discussion ensued.

Mr. Woodson made a substitute motion, seconded by Mr. Brito, to adopt proposed Resolution R08-79 to deny.

Discussion further ensued.

Mr. Woodson withdrew the motion. Mr. Brito withdrew the second to the motion.

The Voting Board tally on the original motion was:

Yea: (7) Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde

Nay: (0)

Resolution R08-78 reads as follows:

A RESOLUTION TO APPROVE THE REQUEST TO DEVIATE FROM TABLE 3.5(A), ALLOCATION OF TRANSECT ZONES, FOR THE TOWN CENTER OF AQUIA, AQUIA ELECTION DISTRICT

WHEREAS, RAMCO-Gershenson, has submitted application RC2700543 requesting reclassification, of Assessor's Parcels 21-49, 49H, 49J, and 49Q from B-2, Urban Commercial to P-TND, Planned-Traditional Neighborhood Development, consisting of 36.25 acres, located on the southeast corner of Jefferson Davis Highway and Washington Drive, within the Aquia Election District; and

WHEREAS, Stafford County Code, Section 28-39(q)(21) of the Zoning Ordinance, allows for the deviation or modification from the density and intensity tables pertaining to regulations for transect zones in the P-TND zoning district; provided the request for the deviation or modification is approved by the Board of Supervisors with the reclassification approval for the P-TND zoning district; and

WHEREAS, RAMCO-Gershenson has submitted a request for a deviation from Section 28-39(q)(21), Table 3.5(a), to permit the T-5 transect zone to have a maximum percentage of one hundred (100) percent non-residential use; and

WHEREAS, the Board has determined that the request is appropriate;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of January, 2008, that the Board be and it hereby does

approve the request to deviate from Stafford County Code, Section 28-39(q)(21), Table 3.5(a), for the Town Center of Aquia.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R08-80.

Discussion ensued.

Recess. At 4:00 P. M., the Chairman declared a recess.

Call to Order. At 4:06 P. M. the Chairman called the meeting back to order.

<u>Suspend the Rules.</u> Hearing no objections from the Board, Items 15 and 16 were delayed until later in the meeting.

Legislative; Continued Discussion Regarding a Request to Deviate from Table 3.5(C),

Lot Occupancy, for the Town Center of Aquia, Aquia Election District. Mr. Jeff Harvey,

Director of Planning and Zoning, commented.

Mr. Bryce Turner, President and CEO of Brown Craig Turner, commented further.

Discussion further ensued.

The Voting Board tally was:

Yea: (7) Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling

Nay: (0)

Resolution R08-80 reads as follows:

A RESOLUTION TO APPROVE THE REQUEST TO DEVIATE FROM TABLE 3.5(C), LOT OCCUPANCY, FOR THE TOWN CENTER OF AQUIA, AQUIA ELECTION DISTRICT

WHEREAS, RAMCO-Gershenson, has submitted application RC2700543 requesting reclassification, of Assessor's Parcels 21-49, 49H, 49J, and 49Q from B-2, Urban Commercial to P-TND, Planned-Traditional Neighborhood Development, consisting of 36.25 acres, located on the southeast corner of Jefferson Davis Highway and Washington Drive, within the Aquia Election District; and

WHEREAS, Stafford County Code, Section 28-39(q)(21) of the Zoning Ordinance, allows for the deviation or modification from the density and intensity tables pertaining to regulations for transect zones in the P-TND zoning district; provided the request for the deviation or modification is approved by the Board with the reclassification approval for the P-TND zoning district; and

WHEREAS, RAMCO-Gershenson has submitted a request for a deviation from Section 28-39(q)(21), Table 3.5(c) to eliminate the requirement for maximum building width for lots in the T-5 and T-6 transect zones; and

WHEREAS, the Board has determined that the request is appropriate;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of January, 2008, that the Board be and it hereby does approve the request to deviate from Stafford County Code, Section 28-39(q)(21), Table 3.5(c) for the Town Center.

<u>Closed Meeting.</u> At 4:15 P. M. Mr. Milde motioned, seconded by Mr. Brito, to adopt proposed Resolution CM08-01.

The Voting Board tally was:

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Yea:

(7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson

Nay:

(0)

Resolution CM08-01 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board of County Supervisors desires to consult with counsel and

discuss in Closed Meeting legal advice in regard to the Crucible litigation matters; a

probable litigation entitled Stacy Construction v. Board of Supervisors; a Claim against

the County by Rafael Tal; .a personnel matter regarding the County Bond Counsel; and

acquisition of real property for a public purpose regarding Crow's Nest; and

WHEREAS, pursuant to Section 2.2-3711 A.1, A.3 and A.7. Va. Code Ann., such

discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford Board of Supervisors,

on this the 15th day of January, 2008 does hereby authorize discussions of the aforestated

matters in Closed Meeting.

Call to Order. At 5:58 P. M. the Chairman called the meeting back to order.

Closed Meeting Certification. Mr. Milde motioned, seconded by Mr. Dudenhefer, to

adopt proposed Resolution CM08-01(a).

The Voting Board tally was:

Yea:

(7) Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito

Nay:

(0)

Resolution CM08-01(a) reads as follows:

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A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD

COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON

JANUARY 15, 2008

WHEREAS, the Board has, on this the 15th day of January, 2008, adjourned into

a closed meeting in accordance with a formal vote of the Board and in accordance with

the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective

July 1, 1989, provides for certification that such Closed Meeting was conducted in

conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of

Supervisors does hereby certify, on this the 15th day of January, 2008, that to the best of

each member's knowledge: (1) only public business matters lawfully exempted from

open meeting requirements under the Virginia Freedom of Information Act were

discussed in the Closed Meeting to which this certification applies; and (2) only such

public business matters as were identified in the Motion by which the said Closed

Meeting was convened were heard, discussed, or considered by the Board. No member

dissents from the aforesaid certification.

Legal; Authorize Sharon Pandak to Appeal the Decision in the Crucible Litigation to the

Virginia Supreme Court. Mr. Brito motioned, seconded by Mr. Sterling, to adopt

proposed Resolution R08-138.

The Voting Board tally was:

Yea:

(6) Dudenhefer, Schwartz, Sterling, Woodson, Brito, Crisp

Nay:

(1) Milde

Resolution R08-138 reads as follows:

A RESOLUTION TO AUTHORIZE SHARON PANDAK TO APPEAL THE DECISION IN THE CRUCIBLE LITIGATION TO THE VIRGINIA SUPREME COURT

WHEREAS, the Judge in the Crucible litigation issued a decision that the Crucible is vested in its ability to proceed with development of an anti-terrorism training facility on the property it owns in the Hartwood District; and

WHEREAS, this decision is contrary to the best interests of the citizens of Stafford County; and

WHEREAS, Sharon Pandak, the attorney representing the County in the Crucible litigation has briefed the Board concerning the appeal process; and

WHEREAS, the Board desires to appeal the decision in the Crucible litigation to the Virginia Supreme Court;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on the 15th day of January, 2008, does hereby authorize Sharon Pandak to file the appropriate Petition for Appeal with the Virginia Supreme Court and to pursue the appeal to overturn the adverse decision by the trial court.

Recess. At 6:02 P. M. the Chairman declared a recess until 7:00 P. M.

Call to Order. At 7:00 P. M. the Chairman called the meeting back to order.

<u>Invocation</u>. Mr. Crisp gave the Invocation.

<u>Pledge of Allegiance.</u> Mr. Crisp lead in the Pledge of Allegiance to the Flag of the United States of America.

<u>Enforcement Professional Standards Commission to the Sheriff</u> Mr. Gary Dillion,

Department of Criminal Justice Services Program Manager for the Virginia Law

Enforcement Professional Standards Commission and John Skinner, Chief of Police,

Manassas City Policy Department, made a presentation for the Sheriff's Recertification

Accreditation to Sheriff Jett and staff.

Legislative; Presentation of a Proclamation.

• Commemorate Posthumously Deputy Sheriff Jason Edward Money

Presentations by the Public. The following persons spoke on the topics as identified.

Byron Hinton - Transportation Commission.

Robert Dingess - Transportation Commission.

Dean Ferreroff - Budgets.

- Schools.

- Funding.

Wilson Carmean - Hunting dogs running loose.

Fred Hinshaw - Poplar Road/illegal drugs.

Lou Silver - Tax relief for the elderly.

- Timing of public hearings.

Legal; Amend and Reordain Chapter 23, Article III, Division 2, Section 23-57 of the County Code Entitled "General Provisions" Regarding Tax Relief for the Elderly. The County Administrator gave a presentation.

The Chairman opened a public hearing.

The following persons spoke:

Normal Polley

Lou Silver

Patricia Kurpiel

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Crisp, to adopt proposed Ordinance O08-04.

Discussion ensued.

Mr. Brito made a substitute motion, seconded by Mr. Woodson, to authorize a public hearing to change the cap to \$3,000.

Discussion further ensued.

The Commissioner of the Revenue commented further.

The Voting Board tally on the substitute motion was:

Yea: (6) Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer

Nay: (1) Milde

<u>Planning</u>; <u>Consider a Conditional Use Permit at 21 Town and Country Drive.</u> Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation.

The Chairman opened a public hearing.

The following person spoke:

Brian John, on behalf of the Applicant

The Chairman closed the public hearing.

Mr. Crisp motioned, seconded by Mr. Milde, to adopt proposed Resolution R08-10.

The Voting Board tally was:

Yea: (7) Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz

Nay: (0)

Resolution R08-10 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT
PURSUANT TO APPLICATION CUP2700511 TO ALLOW VEHICLE
FUEL SALES IN A B-2, URBAN COMMERCIAL, ZONING DISTRICT,
ON ASSESSOR'S PARCEL 54SS-2, GEORGE WASHINGTON ELECTION
DISTRICT

WHEREAS, The Stop and Shop Supermarket Company, applicant, has submitted application CUP2700511 requesting a Conditional Use Permit to allow vehicle fuel sales in a B-2, Urban Commercial, Zoning District, on the above described property; and

WHEREAS, the application has been submitted pursuant to Stafford County Code, Section 28-35, Table 3.1, which permits this use in a B-2, Urban Commercial, Zoning District upon approval of a Conditional Use Permit by the Board; and

WHEREAS, the Board has carefully considered the recommendation of the Planning Commission, staff and testimony at the public hearing; and

WHEREAS, the Board finds that the request meets the standards for issuance of a Conditional Use Permit;

NOW, THEREFORE, BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 15th day of January, 2008 that a Conditional Use Permit pursuant to application CUP2700511 be and it hereby is approved with the following conditions:

- 1. This Conditional Use Permit is to allow vehicle fuel sales in a B-2, Urban Commercial Zoning District on Assessor's Parcel 54SS-2.
- 2. The site shall be in general conformance with the Generalized Development Plan (GDP) prepared by VHB dated July 18, 2007 and revised September 27, 2007.
- 3. Fuel sales shall be limited to vehicles less than five (5) tons gross volume weight (GVW).
- 4. Any canopy lighting shall be recessed within the canopy.
- 5. Customer parking shall not have direct access to any primary travel lane that serves as access to more than one building pad.
- 6. All drive-through and fuel canopies shall be of coordinated color and materials as the primary structure on-site.
- 7. There shall be no carnival style flags, banners, lights, balloons, or windsocks used on site.
- 8. An oil/water separator or its technical equivalent shall be utilized for the fuel station.
- 9. Site lighting shall be in accordance with the Lighting Plan prepared by VHB dated December 5, 2007. The maximum height of the light poles shall be twenty (20) feet.
- 10. If building permits are not obtained within three (3) years from the date of approval, this Conditional Use Permit shall expire.

11. This Conditional Use Permit may be revoked or conditions amended by the Board for violation of these conditions or any applicable county, federal, or state codes.

<u>Planning</u>; Amend the Economic Development Plan Element of the Comprehensive Plan.

Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Mr. Dudenhefer motioned, seconded by Mr. Sterling, to adopt proposed Resolution R08-08.

Discussion ensued.

Mr. Brito made a substitute motion, seconded by Mr. Woodson, to refer this plan to the Planning Commission.

Discussion further ensued.

The Voting Board tally was:

Yea: (4) Brito, Crisp, Schwartz, Woodson

Nay: (3) Dudenhefer, Milde, Sterling

<u>Planning</u>; Amend the Land Use Plan Regarding a Change in Land Use Classification for <u>Certain Parcels of Land for Current and Future Public Park Facilities.</u> Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation.

The Chairman opened a public hearing.

The following persons spoke:

John Berry

Glenn Trimmer

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Crisp, to adopt proposed Resolution R08-09.

Discussion ensued.

The Voting Board tally was:

Yea: (7) Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito

Nay: (0)

Resolution R08-09 reads as follows:

A RESOLUTION TO ADOPT AN AMENDMENT TO THE LAND USE PLAN COMPONENT OF THE COMPREHENSIVE PLAN REGARDING A CHANGE IN LAND USE CLASSIFICATION FOR CERTAIN PARCELS OF LAND FOR CURRENT AND FUTURE PUBLIC PARK FACILITIES

WHEREAS, amending the Land Use Plan designation on various parcels of land to Park Land would more clearly reflect the current and future land use needs within the County; and

WHEREAS, the existing park facilities and development of commercial and residential property has changed the composition of land use in certain areas of the County; and

WHEREAS, the Board has previously acknowledged the need within the County for additional park facilities; and

WHEREAS, current and projected land use trends within certain areas of the County are not adequately reflected within the Land Use Plan, particularly as it applies to the need for additional and varied park lands; and

WHEREAS, the following properties have been identified as new park lands, either currently in use, being constructed for use, have been dedicated and conveyed to the County for use, or proposed for future use since the last amendment to the Land Use Plan component of the Comprehensive Plan:

- 1. Chichester property (Assessor's Parcel 45-220K);
- 2. Crow's Nest (part of Assessor's Parcels 48-1 and part of 49-27, (approximately 2,887 acres);
- 3. Government Island (Assessor's Parcels 21-B-2803);
- 4. Musselman/Jones Properties (Assessor's Parcels 45-127G and 45-127K);
- 5. Patawomeck Park (Assessor's Parcel 22-18)
- 6. Stafford Recreational Soccer League Site (Assessor's Parcel 39-53, 71, and 76A);
- 7. Vulcan Quarry (portion of Assessor's Parcel 20-4A, 22.9 acre proffered site);
- 8. Widewater State Park (Assessor's Parcels 31-98, 100, 32-4, and 41-1, 2, 4, 4D) (Commonwealth of Virginia, 1,100 acre site on Widewater Peninsula); and
- 9. City of Fredericksburg, parcels along Rappahannock River (Assessor's Parcels 42-10, 52-5, and 54-88A), and

WHEREAS, the following properties have been identified as current park facilities, but are not designated as such on the Land Use Plan:

- 1. Abel Lake Boat Ramp (Assessor's Parcels 37-11 and 42C);
- 2. Autumn Ridge Park (Assessor's Parcel 29-49L);
- 3. Courthouse Community Center (Assessor's Parcel 30-83A);
- 4. Rowser Complex (Assessor's Parcel 38-94);

- 5. Prince William Forest Park (Located within boundaries of Quantico)
- 6. Little Falls Boat Ramp (Assessor's Parcel 59-72C); and
- 7. Smith Lake Park (Assessor's Parcels 21-1A and 4A); and

WHEREAS, the following property was previously identified as Park Land, but is currently being developed as an office park:

1. Former Fritter Park Site (Assessor's Parcels 13C-A, B, C and D); and

WHEREAS, the proposed amendment to the Land Use Plan is necessary to make the Plan consistent with the revised map and to update text information regarding parks and recreation; and

WHEREAS, the Board previously approved an amendment to the Comprehensive Plan to reflect present and proposed parks, which amendment was challenged in litigation; and

WHEREAS, the Board desires to specifically enumerate each present and proposed park in the Comprehensive Plan; and

WHEREAS, the Planning Commission held a public hearing and recommended that the Land Use Plan be amended to change the land use classification for certain properties; and

WHEREAS, the Board has determined that the requested Land Use Plan amendment is compatible with the current and future land uses and will guide and accomplish a coordinated development pattern that promotes health, safety, and welfare of the residents of the County;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 15th day of January, 2008, that the Land Use Plan component of

the Comprehensive Plan be and it hereby is amended to include the following properties as Park Land:

- 1. Chichester property (Assessor's Parcel 45-220K);
- 2. Crow's Nest (part of Assessor's Parcels 48-1 and part of 49-27, (approximately 2,887 acres);
- 3. Government Island (Assessor's Parcels 21-B-2803);
- 4. Musselman/Jones Properties (Assessor's Parcels 45-127G and 45-127K);
- 5. Patawomeck Park (Assessor's Parcel 22-18)
- 6. Stafford Recreational Soccer League Site (Assessor's Parcel 39-53, 71, and 76A);
- 7. Vulcan Quarry (portion of Assessor's Parcel 20-4A, 22.9 acre proffered site);
- 8. Widewater State Park (Assessor's Parcels 31-98, 100, 32-4, and 41-1, 2, 4, 4D) (Commonwealth of Virginia, 1,100 acre site on Widewater Peninsula);
- 9. City of Fredericksburg, parcels along Rappahannock River (Assessor's Parcels 42-10, 52-5, and 54-88A);
- 10. Abel Lake Boat Ramp (Assessor's Parcels 37-11 and 42C);
- 11. Autumn Ridge Park (Assessor's Parcel 29-49L);
- 12. Courthouse Community Center (Assessor's Parcel 30-83A);
- 13. Rowser Complex (Assessor's Parcel 38-94);
- 14. Prince William Forest Park (Located within boundaries of Quantico)
- 15. Little Falls Boat Ramp (Assessor's Parcel 59-72C); and
- 16. Smith Lake Park (Assessor's Parcels 21-1A and 4A); and

BE IT FURTHER RESOLVED that the former Fritter Park site (Assessor's Parcels 13C-A, B, C and D) be designated as Office; and

BE IT FURTHER RESOLVED that the text amendments to Chapters 2, 4, 5, and 6 of the Land Use Plan be updated to reflect the changes made herein.

Legislative; Consider a Request to Endorse Legislative Initiatives Proposed by Social Action Linking Together (SALT). Mr. Milde commented.

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Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R08-

74.

Discussion ensued.

The Voting Board tally was:

Yea: (4) Dudenhefer, Milde, Sterling, Woodson

Nay: (3) Brito, Crisp, Schwartz

Resolution R08-74 reads as follows:

A RESOLUTION TO SUPPORT LEGISLATIVE INITIATIVES PROPOSED BY SOCIAL ACTION LINKING TOGETHER (SALT)

FOR 2008

WHEREAS, the Board has previously supported legislative initiatives proposed by Social Action Linking Together (SALT), and has been requested to support its initiatives for 2008; and

WHEREAS, the Board desires to go on record in support of these initiatives;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of January, 2008, that the Board hereby expresses its support for the following legislative initiatives supported by Social Action Liking Together (SALT):

Rental Assistance. SALT joins the Virginia Coalition to End Homelessness in support of a pilot Rental Assistance Program. This program would provide funding to bridge the gap between one-third of a family's income and the fair market cost of housing. Families, who could not otherwise afford independent housing such as women with

children moving from welfare to work, or working families in shelters, would be priority targets in a 3-year pilot program. The program would provide time limited assistance to provide the stability families need to advance in their work and achieve full independence. As their wages increase, their rental assistance would decline.

TANF Benefit Increase. Virginia families on Temporary Assistance to Needy Families (TANF) have received only one increase in their benefits over the past 23 years, a 10% increase in 2000. Meanwhile, inflation over that same period has equaled 93%. A family of three receives only \$320 per month, less than a fourth of the federal property level. SALT urges a 15% increase in benefits for TANF recipients, to be funded primarily from a federal block grant, and the indexing of future benefits to annual increases in the cost of living.

<u>Transitional Assistance for Former Drug Offenders.</u> SALT urges an end to the lifetime ban on TANF benefits for otherwise eligible individuals who have been convicted of drug-related felonies. In its 2005 session, the General Assembly enacted legislation to lift the lifetime ban that had prevented these ex-offenders (unlike persons convicted of any other crimes) from ever receiving food stamps, even after they had paid their debt to society. However, these individuals are still prevented from ever receiving TANF benefits. SALT believes it is critical to lift this lifetime ban as well, since it has the effect of punishing the ex-offender's family and hindering the person's successful reentry into society upon release.

Child Care Assistance. There is a desperate need for child care in Virginia. When affordable child care is unavailable, parents' employment and economic independence are at risk. Under welfare reform, child care is a state responsibility; yet an average of 11,000 children were on the state's waiting list during the past year, including 2,500 in Fairfax County alone. SALT has joined with over a dozen other organizations in the statewide Working Families Child Care Coalition to request a \$7.1 million increase per year over a four-year span. This amount is urgently needed to ensure the health and well-being of families and assist them in attaining economic self-sufficiency.

<u>Legislative</u>; Appoint Members to Boards, Authorities, Commissions and Committees; <u>Transportation Commission.</u> Mr. Milde motioned, seconded by Mr. Milde, to adopt proposed Resolution R08-140.

The Voting Board tally was:

Yea: (7) Milde, Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer

Nay: (0)

Resolution R08-140 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE TRANSPORTATION COMMISSION

WHEREAS, the Board, by approval of Resolution R04-458 on December 7, 2004, created the Transportation Commission; and

WHEREAS, the Transportation Commission shall be composed of eight members, seven resident freeholders and one member of the Stafford County Planning Commission, who shall be appointed as follows: each Board member shall appoint one resident freeholder from his or her election district to serve initially for the duration of the appointing Board member's term in office. Subsequent terms for each of these seven Transportation Commission members shall be for four years. Each Board member shall appoint one resident freeholder from his or her election district to serve such a four-year term. The Chairman of the Planning Commission shall appoint one member of the Planning Commission to serve on the Transportation Commission and such member shall serve a four-year term to coincide with his or her current term on the Planning Commission. All Transportation Commission members may be reappointed for succeeding four-year terms in office; and

WHEREAS, one member to represent the Superintendent of Schools, one member to represent the Sheriff's Office, and one member to represent the Department of Fire, Rescue, and Emergency Services shall be assigned to be in attendance at all meetings in an advisory capacity to the Commission; and

WHEREAS, the Board may, as it deems necessary, appoint five members of the Transportation Commission's membership, pursuant to Section 33.1-230 of the Code of Virginia (1950), as amended, to function as viewers for public roads or bridges;

WHEREAS, the Board has appointed the following:

NAME	EXPIRATION
Steven Apicella (Aquia)	December 31, 2009
Bruce Iosco (Falmouth)	December 31, 2009
Michael Kidby (Garrisonville)	December 31, 2009
Robert Dingess (Hartwood)	December 31, 2009
Byron K. Hinton (George Washington)	December 31, 2011
VACANT (Griffis-Widewater)	December 31, 2007

Roland T. Stanford

December 31, 2011

(Rock Hill)

William Cook

December 31, 2007

(Planning Commission)

WHEREAS, Michael Kidby has submitted his resignation; and

WHEREAS, the Board desires to fill this position; and

WHEREAS, the term of membership is four years; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors, on this the 15th day of January, 2008, that:

NAME EXPIRATION

Dean Larson

December 31, 2009

(Garrisonville)

be and he hereby is appointed to the Transportation Commission.

Legislative; Appoint Members to Boards, Authorities, Commissions and Committees; <u>Disability Services Board.</u> Mr. Brito motioned, seconded by Mr. Milde, to adopt proposed Resolution R08-37.

The Voting Board tally was:

Yea:

(7) Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde

(0)Nay:

Resolution R08-37 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE DISABILITY SERVICES BOARD OF PLANNING DISTRICT 16

WHEREAS, Section 51.5-47 of the Code of Virginia, (1950), as amended, provides for the establishment of a Disability Services Board; and

WHEREAS, Ordinance O93-14 was adopted on April 6, 1993, which establishes the Disability Services Board of Planning District 16; and

WHEREAS, each locality in Planning District 16 shall appoint three members representing one local official, one representative of the business community and one consumer; and

WHEREAS, the Board has previously appointed the following:

NAME	EXPIRATION
Larry Whitaker (Consumer)	July 1, 2009
Charles A. Cooper (Local Official)	July 1, 2009
Stephen J. Brannan (Business Community)	July 1, 2009

WHEREAS, Stephen J. Brannan and Larry Whitaker no longer desire to serve; and

WHEREAS, the term of membership is three years; and

WHEREAS, the Board desires to fill these vacancies;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of January 2008, that

NAME EXPIRATION

Charles Morgan July 1, 2010

(Consumer)

be and he hereby is appointed to the Disability Services Board.

<u>Legislative</u>; Appoint Members to Boards, Authorities, Commissions, and Committees; <u>Wetlands Board.</u> Mr. Milde motioned, seconded by Mr. Crisp, to adopt proposed Resolution R08-101.

The Voting Board tally was:

Yea: (7) Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz

Nay: (0)

Resolution R08-101 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE WETLANDS BOARD

WHEREAS, Section 28.2-1303 of the Code of Virginia (1950), as amended, authorizes the Board to appoint five or seven residents to serve on the Wetlands Board; and

WHEREAS, in accordance with Section 28.2-1303 of the Code of Virginia, "the governing body shall also appoint at least one but not more than three alternate members to the Board; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u> <u>EXPIRATION</u>

Sam M. Hess December 31, 2010

(Member-At-Large)

Richard Decatur December 31, 2011

(Member-At-Large)

Anthony Pineau December 31, 2011

(Member-At-Large)

Ben Rudasill December 31, 2012

(Member-At-Large)

Stanley Dameron December 31, 2007

(Member-At-Large)

VACANT

(Member-At-Large Alternate)

VACANT

(Member-At-Large Alternate)

WHEREAS, the term of Stanley Dameron expired on December 31, 2007; and

WHEREAS, the term of appointment is five years; and

WHEREAS, the Board desires to fill a vacancy;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of January, 2008, that:

<u>NAME</u> <u>EXPIRATION</u>

Mary Rust December 31, 2012

(Member-At-Large)

be and she hereby is appointed to the Wetlands Board.

<u>Legislative</u>; Appoint Members to Boards, Authorities, Commissions and Committees; <u>Fredericksburg/Stafford Park Authority.</u> Mr. Crisp motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R08-102.

The Voting Board tally was:

Yea: (7) Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling

Nay: (0)

Resolution R08-102 reads as follows:

A RESOLUTION TO APPOINT MEMBERS TO THE FREDERICKSBURG-STAFFORD PARK AUTHORITY

WHEREAS, Section 15.2-5703 of the Code of Virginia (1950), as amended, authorizes the Board to appoint members to serve on the Fredericksburg-Stafford Park Authority; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u> <u>EXPIRATION</u>

Harry E. Crisp December 31, 2011

(Board of Supervisors)

VACANT December 31, 2010

(Member-At-Large)

John A. Gray December 31, 2007

(Member-At-Large)

Beverley Newlin December 31, 2007

(Member-At-Large)

WHEREAS, the term of Beverley Newlin expired on December 31, 2007; and

WHEREAS, the term of membership is four years; and

WHEREAS, the Board desires to fill this vacancy;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of January, 2008, that

<u>NAME</u> <u>EXPIRATION</u>

Beverley Newlin December 31, 2011

(Member-At-Large)

be and she hereby is appointed to the Fredericksburg-Stafford Park Authority.

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<u>Legislative</u>; Appoint Members to Boards, Authorities, Commissions, and Committees; <u>Rappahannock Regional Jail Authority.</u> Mr. Brito motioned, seconded by Mr. Milde, to adopt proposed Resolution R08-103.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson

Nay: (0)

Resolution R08-103 reads as follows:

A RESOLUTION TO APPOINT MEMBERS OF THE RAPPAHANNOCK REGIONAL JAIL AUTHORITY

WHEREAS, the City of Fredericksburg and the Counties of King George, Spotsylvania and Stafford Have entered into an agreement to establish the Rappahannock Regional Jail Authority for the purpose of operating an adult detention facility; and

WHEREAS, the Board has previously appointed the following members and alternatives:

NAME EXPIRATION

Paul Milde Pleasure of the Board

(Board of Supervisors Alternate)

George Schwartz Pleasure of the Board

(Board of Supervisors)

Anthony Romanello Pleasure of the Board

(Member)

Cheryl Beagle

Pleasure of the Board

(Alternate Member)

WHEREAS, Cheryl Beagle no longer serves as a member; and

WHEREAS, the Board desires to fill this vacancy;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of January, 2008, that

NAME

EXPIRATION

Nancy Collins

Pleasure of the Board

(Alternate Member)

be and she hereby is appointed to the Rappahannock Regional Jail Authority.

Legislative; Discuss Establishing a Committee of Governing Body Members to Provide a Forum and Share Information on the Implementation Implications of the Land Use Changes within HB3202 (The Transportation Act of 2007). The County Administrator gave a presentation.

Hearing no objections from the Board, Mr. Brito and Mr. Milde were nominated for membership.

The Voting Board tally on the nomination of Mr. Brito was:

Yea:

(4) Crisp, Schwartz, Woodson, Brito

Nay:

(3) Dudenhefer, Milde, Sterling

Mr. Brito was appointed to serve on the Committee.

<u>Legislative</u>; <u>Discuss Installation of Sidewalks along Staffordboro Boulevard.</u> Mr. Milde commented.

Discussion ensued.

Mr. Sterling motioned, seconded by Mr. Milde, to refer the issue to the Transportation Commission for further review.

The Voting Board tally was:

Yea: (6) Dudenhefer, Milde, Schwartz, Sterling, Brito, Crisp

Nay: (1) Woodson

<u>Legislative</u>; <u>Discuss Bells Hill Road.</u> Mr. Milde stated no further need for discussion on this item; remove from Regular Agenda.

<u>Legislative</u>; <u>Discuss Berea Parkway</u>. Mr. Dudenhefer commented.

Mr. Fulton deLamorton, Transportation Administrator, commented further.

Discussion ensued.

Mr. Sterling motioned, seconded by Mr. Crisp, to refer this item to the Comprehensive Plan Committee of the Planning Commission for recommendations on corridor placement.

The Voting Board tally was:

Yea: (7) Milde, Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer

Nay: (0)

Legislative; Discuss Multi-Way Stop Signs. Mr. Dudenhefer commented.

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Discussion ensued.

Mr. Dudenhefer motioned, seconded by Mr. Milde, to request staff in accordance with the Virginia Department of Transportation standards develop the guidelines.

The Voting Board tally was:

Yea: (7) Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde

Nay: (0)

<u>Legislative</u>; <u>Discuss Proposed Changes to the Transportation Commission.</u> Mr. Dudenhefer gave a presentation.

Mr. Dudenhefer motioned, seconded by Mr. Sterling, to adopt proposed Resolution R08-53.

Mr. Woodson made a substitute motion, seconded by Mr. Crisp, to deny the R08-53 which changes composition of the Board, dissolve the Transportation Commission, and ask the Planning Commission to advise the Board on the following: VDOT 6 Year Plan; Transportation Safety Improvements; Prioritize Transportation Projects; Public/Private Transportation Proposals; Rural Additions; Restricted Traffic and Traffic Calming; Regional Transportation District; Transportation Plan Component of the Comprehensive Plan; VRE/FRED/Commuter Bus levels; and the remaining responsibilities to the Board of Supervisors.

Discussion further ensued.

The Voting Board tally on the substitute motion was:

Yea: (4) Woodson, Brito, Crisp, Schwartz

Nay: (3) Dudenhefer, Milde, Sterling

<u>Legal; Deny Claim of Rafael and Leslie Tal for Interest.</u> Mr. Sterling motioned, seconded by Mr. Milde, to adopt proposed Resolution R08-153.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson

Nay: (0)

Resolution R08-153 reads as follows:

A RESOLUTION DENYING THE CLAIM OF RAFAEL AND LESLIE TAL FOR INTEREST

WHEREAS, Rafael and Leslie Tal have filed a claim with the Board requesting that interest be paid on securities that were the subject of a defaulted Performance Agreement; and

WHEREAS, the Board carefully considered this matter;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of January, 2008, that the claim of Rafael and Leslie Tal for interest be and it hereby is denied.

Adjournment. At 9:50 P. M. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM

George H. Schwartz

County Administrator

Chairman